

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING:
CITY COUNCIL PUBLIC HEARING:

MARCH 11, 2021

N/A

CASE: Relinquishment of Easement 911

ACRES: 0.05

LOCATION: 2503 North Barnes Avenue

EXISTING LAND: Self-service storage facility

APPLICANT: Keystone Storage II, LLC

STAFF: Andrew Menke, Assistant Planner
417-864-1613

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION: Move to approve as submitted in the staff report. 5 voting members to approve or deny.



SUMMARY OF REQUEST:

The applicant, Keystone Storage II, LLC, is requesting to relinquish a sanitary sewer easement to facilitate the development of their property. Sanitary sewer has been re-routed north along North Barnes Avenue. No replacement easements are to be dedicated.

FINDINGS FOR STAFF RECOMMENDATION:

The requested relinquishment meets the approval criteria listed in Table A.

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GOOGLE AERIAL OF LANDMARKS, BUSINESSES, AND ATTRACTIONS:



GOOGLE MAPS STREET VIEW:



PLANNING AND ZONING COMMISSION AUTHORITY:

Sec. 98-160. - Relinquishment of public utility easements.

- (a) The planning and zoning commission may authorize the relinquishment of a public utility easement upon determining the following:
- (1) No one has objected to the relinquishment of the easement.
 - (2) The appropriate city agency (public works in the case of sewer easements, and city utilities in the case of electric, gas and water easements) has filed with the department of community development a statement that the easement is no longer needed to provide utility service.
 - (3) The retention of the easement no longer serves any useful public purpose.
- (b) Upon the planning and zoning commission determining that the conditions set forth in subsection (a) of this section have been satisfied, the commission may adopt a resolution authorizing the mayor of the city to quitclaim the city's interest in the public utility easement, which quitclaim deed shall be filed in the county land records. If the conditions set forth in subsection (a) of this section are not satisfied, any person who has filed a request for the relinquishment of the public utility easement can request that the city council consider the matter by filing a notice with the director of community development asking that the city council hear the matter.

STAFF COMMENTS:

1. The applicant is requesting to relinquish a sanitary sewer easement in order to facilitate the development of the property.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

DEPARTMENT COMMENTS:

DEPARTMENT OF ENVIRONMENTAL SERVICES WASTEWATER MANAGEMENT DIVISION:

The public sewer in the easement has been abandoned. The easement is no longer required.

RELINQUISHMENT OF EASEMENT RESPONSES:

Table A

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings.		Staff Response
1.	No one has objected to the relinquishment of the easements.	No one has objected to the relinquishment of the easement.
2.	The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.	All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement. The applicant is not required to dedicate a replacement easement.
3.	That the retention of the easements no longer serves any useful public purpose.	The retention of the subject easement no longer serves a public purpose. The applicant is not required to dedicate a replacement easement.

LEGAL:

BEING A PART OF A PLATTED 10.00 FOOT WIDE SANITARY SEWER EASEMENT LYING IN LOT 2 OF TILTON’S INDUSTRIAL PARK SUBDIVISION AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER’S OFFICE IN PLAT BOOK C AT PAGE 71 BEING A PART OF THE GRANTOR’S TRACT OF LAND AS LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 29 NORTH, RANGE 21 WEST AND ALSO DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER’S OFFICE IN BOOK 2018 AT PAGE 029218-18 AND SAID SANITARY SEWER EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 OF TILTON’S INDUSTRIAL PARK SUBDIVISION; THENCE ALONG THE EAST LINE OF SAID LOT 2, SOUTH 01°48’29” WEST, 42.35 FEET; THENCE LEAVING SAID EAST LINE, NORTH 87°05’15” WEST, 10.00 FEET TO A POINT LYING ON THE NORTH LINE OF A 10.00 FOOT WIDE PLATTED SANITARY SEWER EASEMENT LYING IN LOT 2 OF TILTON’S INDUSTRIAL PARK SUBDIVISION AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER’S OFFICE IN PLAT BOOK C AT PAGE 71, SAID POINT ALSO LYING ON THE WEST RIGHT-OF-WAY AS IT NOW LIES OF BARNES AVENUE SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 01°48’29” WEST, 10.00 FEET TO A POINT LYING ON THE SOUTH LINE OF THE AFOREMENTIONED 10.00 FOOT WIDE PLATTED SANITARY SEWER EASEMENT; THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG SAID SOUTH LINE, NORTH 87°05’15” WEST, 215.70 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 02°54’45” EAST, 10.00 FEET TO A POINT LYING ON THE AFOREMENTIONED NORTH LINE OF THE 10.00 FOOT WIDE PLATTED SANITARY SEWER EASEMENT; THENCE ALONG SAID NORTH LINE, SOUTH 87°05’15” EAST, 215.51 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 2,156 SQUARE FEET OR 0.049 ACRES, MORE OR LESS.